

**AMENDMENT TO AGREEMENT
FOR CONSULTATION AND OTHER SERVICES**

This Amendment is entered into this 6th day of January 2004, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and Bay Area Coating Consultants (hereafter referred to as "CONSULTANT").

RECITALS

WHEREAS, the parties entered into an Agreement for professional services for on-call material testing and inspection services for various Capital Improvement Projects, on April 1, 2003; and

WHEREAS, the parties amended the Agreement to allow CONSULTANT to provide professional engineering services necessary to perform additional exterior tank coating testing and inspection services, on November 4, 2003.

WHEREAS, the parties amended the Agreement to allow CONSULTANT to provide professional coating testing and inspection services for the four submerged pump cans located at the County Club and Tularcitos water pumping stations on December 2, 2003.

WHEREAS, the parties desire to amend the Agreement to allow CONSULTANT to provide professional coating testing and inspection services for the interior coating of the Tularcitos and Minnis water tanks.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree to amend the Agreement as follows:

1. The first sentence in Subsection 1.1, entitled "Term of Services" is amended to read:

The term of this Agreement shall begin on the date first noted above and shall end on **August 1, 2004**.
2. Section 1, entitled "Services" is amended by adding Exhibit "A-3", which is attached hereto and incorporated by reference herein.
3. Section 2, entitled "Compensation" is amended to add Exhibit "A-3", which is attached hereto and incorporated by reference herein. Section 2 is further amended by adding the following to the end of the Section:

The compensation for the services set forth in Exhibit "A-3" is a "not to exceed" amount. The total maximum amount of compensation to be paid for tasks outlined in Exhibit "A-3" **shall not exceed \$33,600.00**.

4. The Consultant agrees to maintain and pay for all insurance policies as stated in Section 4, entitled "Insurance Requirements" of the Agreement dated **April 1, 2003**, between **Bay Area Coating Consultants** and the City of Milpitas. The Consultant shall provide the City with renewal certificates of the current policies upon the expiration of the current policy.
5. All other provisions of the Agreement shall remain in full force and effect.

This Amendment is executed as of the date written above.

APPROVED BY:

CITY OF MILPITAS

City Engineer as to content

City Manager

City Attorney as to Form

ATTESTED BY:

City Clerk

CONSULTANT

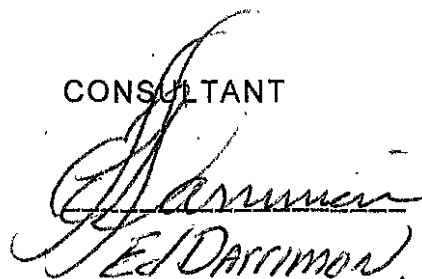

Ed Darrimon
owner 12/12/03

Exhibit A-3

Mr. Steve Erickson
City of Milpitas
455 East Calaveras Blvd.
Milpitas, Ca. 95035-5411

Subject: Cost Estimate/

Dear Mr. Erickson:

Enclosed is our cost estimate, based on eight hour days for inspection services of Tularcitos and Minnis Reservoirs. We will provide one inspector. We have based our cost estimate on seven weeks per tanks per our phone conversation.

Tularcitos and Minnis Reservoirs
Bay Area Coating Consultant Services
July 28, 2003
Coating Inspection Estimate

Reservoir	Labor M/H'S	Labor \$\$	Mat'l \$\$	Total \$\$
Tularcitos	280 Hours	\$16, 800.00	\$0.00	
	\$16,800.00			
Minnis	280 Hours	\$16, 800.00	\$0.00	
	\$16,800.00			

Labor Rate: \$60.00 Per Hour
Over Eight Hours & Holidays: \$90.00 Per Hour
Chlor-rid Test Kits: @ N/A
Subsistence: \$0.00 Per Day, Per Inspector

Please call if you have any questions or, if you want to further discuss the information contained in this proposal.

Respectfully Submitted,
Bay Area Coating Consultants

Ed Darrimon



BAY AREA COATING CONSULTANT SERVICES

December 12, 2003

Mr. Steve Erickson, P.E.
City of Milpitas.
455 East Calaveras
Milpitas, Ca. 95035

Subject: RFP Coating Inspection Services
of the interior of Tularcitos and Minnis

Dear Mr. Erickson:

We are pleased to present this proposal to perform coating inspection and testing services for the City of Milpitas interior re-coating coating project, located in Milpitas, California. We have reviewed the available information, and discussed the requirements with you as a basis for this proposal.

The purpose of our services would be to assist the City of Milpitas in completing the contract requirements established by the City. Bay Area Coating Consultant Services will provide Coating inspection services, and client liaison for the project. It is understanding that two exterior reservoirs will be abrasive blasted and re-coated.

PROPOSAL

Project Understanding

Bay Area Coating Consultants will provide a National Association of Corrosion Engineers Level III Certified Coatings Inspector for the coating work. Our site inspector will be responsible for the day to day quality assurance and to interface with City's Engineer's representative. B.A.C.C. will attend the pre-bid and pre-job meetings as required. We will also provide pre-specification submittal and review if required. B.A.C.C. will furnish all inspection equipment, photographs, and daily reports. Our inspection services cover Cal / Fed OSHA requirements, disposal requirements, surface condition, abrasive blast cleaning, and coating application. B.A.C.C.'s experience in the coating and lining of facilities gives in-depth knowledge to understanding of the contractors activities, allowing us to identify areas of concern or discrepancies on an on-going basis. B.A.C.C.'S knowledge will aid in identifying key milestones for action required by the City, and B.A.C.C. Inspection team in the completion of the project.

1. SCOPE OF WORK: (ASTM 3226)

- (a) ATTEND PRE-CONSTRUCTION MEETING /
- (b) ATTEND ON-SITE FAMILIARIZATION SESSION

2. SURFACE CONDITION

- (a) CONDITION OF EDGES, WELD SPLATTER
- (b) GREASE OIL, OR BOTH
- (c) PROTECTIVE COVERINGS IN PLACE
- (d) AIR TEMPERATURE
- (e) SURFACE TEMPERATURE
- (f) DEW POINT, R/H
- (g) WIND DIRECTION, VELOCITY
- (h) VISIBLE MOISTURE

3. BLAST CLEANING

- (a) TYPE AND SIZE OF ABRASIVE
- (b) CLEAN AND DRY ABRASIVE
- (c) COMPRESSED AIR CHECK / WHITE BLOTTER
- (d) NOZZLE AIR PRESSURE / PRESSURE GAUGE

4. SURFACE PREPARATION

- (a) DUST AND ABRASIVE REMOVAL / VISUAL OBSERVATION
- (b) DEGREE OF CLEANLINESS / S.S.P.C. STANDARDS
- (c) PROFILE MEASUREMENT /TESTEX TAPE
- (d) MAGNETIC BASE READING

5. COATINGS AND LINING APPLICATION

- (a) TIME FROM SURFACE PREPARATION TO APPLICATION / RECORD
- (b) COATING VISCOSITY / DRIP TYPE
- (c) COMPRESSED AIR CHECK / WHITE BLOTTER
- (d) PROTECTIVE COVERINGS IN PLACE / VISUAL
- (e) TIME APPLICATION BEGAN / RECORD
- (f) CONTINUE TO MONITOR TEMPERATURE AND HUMIDITY CONDITIONS
- (g) RECORD BATCH NUMBERS AND MIXING PROCEDURE
- (h) INDUCTION TIME OBSERVED
- (i) PROPER THINNING
- (j) FILM THICKNESS / WET
- (k) RE-COAT TIMES OBSERVED
- (l) INER-COAT CLEANLINESS
- (m) FILM DEFECTS, VOIDS ECT.

overseeing the following projects:

- * Coating and lining inspection.
- * Coating specifications.
- * Design of the physical coating testing lab.
- * Established the Districts rehabilitation project of over one-hundred and eighty steel water storage tanks, and two hydro-electric powerhouses.

Mr. Darrimon also was employed in the Coating Application field as Vice President of Field Services and Quality Control for an eight year period. Ed formed **B.A.C.C.** in 1987 and has twenty-two years experience in the Coatings & Linings Field.

ACCOMPLISHMENTS

STEEL STRUCTURES PAINTING COUNCIL: (S.S.P.C.)

- * National Board of Directors from 1988-92. Re-elected in 1992 to serve second four year term.
- * National award 1989 for Outstanding Chairman.
- * Past President and Founder of the first S.S.P.C. chapter in the U.S.A
- * Member of numerous committees, Education, Lead Removal, Urethane, Zinc, Epoxy, and Inspection.

NATIONAL ASSOCIATION OF CORROSION ENGINEERS: (N.A.C.E.).

- * Past Chairperson / Bay Area Section, Certified Level III Inspector #601

AMERICAN WATER WORKS ASSOCIATION: (A.W.W.A)

- * Member National D-100 Standards Committee
- * Cal/Nev Corrosion Committee. * Cal/Nev Past Vice Chairman Maintenance Committee.

Mr. Darrimon has presented numerous talks to the following Organizations: A.W.W.A., N.A.C.E., & S.S.P.C. on the following topics: * Tank linings, Tank inspection, Specifications, Abrasive blasting, & D.H. equipment.

*******EXAMPLE OF PROJECTS IN 1999/2001 *********Wastewater**

South Bay Water Authority: Wastewater (*Failure Analysis, Consulting & Inspection*)
City Of Fresno: Wastewater (*Failure Analysis, Consulting & Inspection*) Annual Contract
Truckee Meadows/City of Reno: Misc. Projects (*Lining Inspection & Consulting*) Annual Contract
City of Benicia: Water and Wastewater Five tanks (*Inspection, Underwater & Consulting*)
City of Chico: Wastewater (*Failure Analysis, Consulting & Inspection*)
County of Sacramento: Wastewater misc. (*Consulting, Specifications & Testing*)
Union Sanitary District: Wastewater misc. (*Inspection Consulting, Inspection*)
Shanghai, China: 17 Storage tanks (*Inspection, Consulting, Training*)
Delta Diablo Sanitary District: Misc. Tanks and piping (*Plant Survey, Specifications, Inspection*)
Cambria Community Services District: Five steel digesters (*Consulting & Inspection*)
City of Watsonville: Wastewater misc. (*Inspection Consulting, Inspection*)
Dublin/San Ramon Services District: Wastewater misc. (*Inspection Consulting, Inspection*)

Reservoirs

City of Foster City: Three 4.0 mg. Tanks (*Specifications, Inspection & Underwater*)
Soquel Water District: Five tanks (*Inspection, Specifications, Failure analysis*) Lead
City of Sacramento: Five 3.0 mg. tanks (*Specifications and inspection*) Lead
Alameda County Water District: Four water tanks (*Inspection, Consulting*)
City of San Francisco: Eight water tanks (*Inspection*)
Contra Costa Water District: Five pumping plants, one tank (*Inspection*) lead / *Failure analysis*
City of Benicia: Five tanks (*Inspection, Underwater & Consulting*)
City Of Fresno: Misc. tanks (*Failure Analysis, Consulting & Inspection*) Annual Contract
City of Palo Alto: One water tank (*Coating Inspection*) Lead
City of Milbrae: Two water tanks (*Lead and Coating Inspection*)
City of Folsom: Two water tanks (*Inspection, Consulting & Specifications*)
City of Pittsburgh: One water tank (*Coating Inspection*)
City of Morgan Hill: Two tanks (*Inspection*)
Humbolt Community Services District: Three tanks (*Underwater & Inspection*)
Yuba County: One Tank (*Inspection*)
City of Hanford: Four Tanks (*Consulting & Inspection*) Annual Contract
Univ. of Santa Cruz: One tank (*Specifications, Inspection & Underwater*)
North Marin Water District: One tank (*Inspection, Training*) Lead Class I
City Of Odgen: Two tanks (*Inspection Lead Class III*)
City of Davis: One water tank (*Consulting & Inspection*)
Beaty Water District: One tank (*Underwater Inspection & Consulting*) Lead
City of Marteniz: Two water tank (*Inspection*)
City of Brisbane: Two water tanks (*Underwater Inspection & Consulting*)
City of Orange Cove: One water tank (*Underwater and Consulting & Inspection*)
Corning Water District: Seven tanks & towers (*Consulting & Inspection*) Lead
City Of Hillsborough: Five water tanks (*Consulting & Testing*)
City Of San Francisco: 350,000 Sq./Ft Concrete Coating (*Consulting & Inspection*)
Redwood City: Five Tanks (*Coating, Underwater, Specifications Inspection*) Lead
City of Lodi: four tanks (*Consulting, failure analysis, and inspection*)
City of Ceres: One tank (*Consulting, failure analysis, and inspection*)

Bridges

City of San Francisco: One Bridge (*Consulting and inspection*)
County of Sacramento: Two Bridges (*Consulting and inspection*)
County of San Joaquin: One Bridge (*Consulting and inspection*)
County of Santa Cruz: One Bridge (*Consulting & Specifications*) *Lead Class II*
County of Butte: Two Bridges (*Consulting & Specifications*) *Lead Class II*

Engineering Firms

John Carollo Engineers: Nine water tanks, Misc. treatment plants (*Inspection & Consulting*)
Motgomery Watson Engineers: Three 3.0mg Water tanks (*Consulting and Inspection*)
Kennedy Jenks Engineers: Water tanks (*Inspection Consulting*)
Camp, Desser, McKee Engineers: Three tanks (*Coating & Underwater Inspection*)
Shaw Engineers: Four water tanks (*Underwater Inspection & Consulting Lead Class III*)
Dames & Moore: Three tanks (*Inspection*)
V&A Engineers: Five tanks (*Inspection*)
West Yost: Digesters/Water tanks (*Inspection Consulting*)
PSOMAS: Three tanks (*Inspection, Specifications*)

Petrochemical

Chevron/Texaco, Pipe Lines: Misc. Projects (*Inspection & Consulting*) *Annual Contract*
Chevron/Texaco, Marketing : Misc. Projects (*Inspection & Consulting*) *Annual Contract*
Chevron/Texaco, Refining: Misc. Projects (*Inspection & Consulting*) *Annual Contract*
Pacific Energy: 400,000 Sq/Ft Structural Steel (*Consulting & Inspection*)
Exxon, Corp.: One tank (consulting, and inspection)
Valero Energy: One tank (consulting, failure analysis, and inspection)
Tosoro Refining : Misc. Projects (*Inspection & Consulting*) *Annual Contract*

Mr. Darrimon has received extensive training in the following areas:

1987 National Association of Corrosion Engineers Level III Certified Inspector #601
1988 Estimating Painting and Protection Cost. Baltimore, Maryland
1988 Inspection Instruments. Baltimore, Maryland
1989 Application Techniques. Houston, Texas
1989 Plant Maintenance Surveying. Houston, Texas
1989 Water Storage Tank Design & Construction. L.A., California
1990 Design of Coating & Linings. Oakland, California
1990 Val Spar Paint School. Pomona, California
1990 & 1993 Lead Removal Training. Long Beach & S.F., California
1990 Failure Analysis. Nashville, Tennessee
1991 Industrial Hygiene. Long Beach, California
1992 Construction Project Administration. S.F., California
1993 P.D.C.A. Lead Removal Training. Salt Lake City, Utah
1994 OSHA Lead Instructor. S.F., California
1995/98/2000 BAT Training, Concord Ca

Experience has shown us much more emphasis has been placed on the details concerning the start of a project than the completion. As the Site Inspector, B.A.C.C. will work to establish the procedures for a final project acceptance and close out with both the District and the Contractor. Each party associated with this project have specific responsibilities for its successful completion.

REFERENCES

CITY AND COUNTY OF SAN FRANCISCO

BERNARD TSE / PROJECT ENGINEER

1550 EVANS STREET

SAN FRANCISCO, CA. 94124 (415) 244-1435

PROJECT: LINING EIGHT WATER STORAGE TANKS / COATING INSPECTION & 180,000sq/ft concrete

CITY OF SACRAMENTO

BILL ZENHENDER / ENGINEERING/CONSTRUCTION MANAGER

1395 35TH AVENUE

SACRAMENTO, CA. (916) 264-1411

PROJECT: REHAB. FIVE WATER TANKS / COATING AND LINING INSPECTION.

SOQUEL CREEK WATER DISTRICT

JEFF GAILY ENGINEERING MANGER

5180 SOQUEL DRIVE

SOQUEL, CA. 95073 (831) 475-8500

PROJECT: FIVE TANKS/ COATING, LINING INSPECTION, AND CONSULTING.

CITY OF REDWOOD CITY

PHONG DU, P.E.

P.O. BOX 391

REDWOOD CITY, CA.. (415) 780-7385

PROJECT: LEAD REMOVAL, FIVE WATER TANKS, NEW LININGS, CONSULTING AND INSPECTION

ALAMEDA COUNTY WATER DISTRICT

JIM MANEX

P.O. BOX 5110

FREMONT, CA. 94537 (510) 659-1970

PROJECT: FOUR TANKS, COATING, LINING INSPECTION AND TRAINING

CAROLLO ENGINEERS

HANK GALKA, P.E.

2700 YGNACIO VALLEY RD.

WALNUT CREEK, CA. 94558 (510) 932-1710

PROJECT: SIX TANKS / LEAD REMOVAL, EXTERIOR COATING AND NEW LINING INSPECTION

CITY OF DAVIS

KEVIN BURKE

23 RUSSEL BOULEVARD

DAVIS, CA. 95616 (916) 757-5686

PROJECT: LEAD OVER COATING , NEW LINING, AND CONSULTING / INSPECTION

CITY OF BENICIA

JEFF GREGORY

614 E. 15TH STREET

BENICIA, CA. 94510 (707) 746-4337

PROJECT: REHAB. NEW LINING / LEAD OVER COAT, INSPECTION AND CONSULTING

CITY OF FRESNO

BROCK BUCHE, P.E.

1910 E. UNIVERSITY

FRESNO, CA. 93703 (209) 498-4686

PROJECT: FAILURE ANALYSIS, LINING INSPECTION OF 14 GAC VESSELS

AFIRMATIVE ACTION

BACC is a woman owned enterprise (ESBD) CERTIFIED #BAA5675030A City of Sacramento

COST PROPOSAL

BACC will provide daily written reports, photographs, all test equipment, and a closing report (RED BOOK)

Estimated time of key project personal: *We have based this estimate on seven weeks per Reservoir.*

Tularcitos : 280 Hours, based on 35 working days @ \$60.00 per hour = \$16,800.00
Minnis : 280 Hours, based on 35 working days @ \$60.00 per hour = \$16,800.00

Specification Review:	\$ N/C
National Association of Corrosion Engineers Certified Inspector:	\$60.00 per hour
Substance:	included
Travel:	included
Test Equipment & Reports:	included

Please call if you have any questions or, if you want to further discuss the information contained in this proposal. .

Respectfully submitted by,
Bay Area Coating Consultants



Ed Darrimon
Principal Consultant

City of Milpitas, California

BUDGET CHANGE FORM

Type of Change	From		To	
	Account	Amount	Account	Amount
Check one:				
<input checked="" type="checkbox"/> Budget Appropriation	401-9517083153842 400-2961	\$363,325 \$363,325	401-951708374800 400-3942	\$363,325 \$363,325
<input type="checkbox"/> Budget Transfer				

Explain the reason for the budget change:

The project provides for the replacement of several pumps, valves, equipment controls, installation of chlorination injection equipment, chlorination facility equipment enclosures, and seismic restraint systems for the reservoir tanks on the Hillside.

The water tank interiors at the Tularcitos and Minnis booster stations were recently inspected and it has been determined that the interior lining at both tanks has significantly deteriorated to the point of causing potential localized failures in the steel structure. The repair will require the removal of the existing lining and to recoat the tank interiors. The quote for the tank repair work is \$299,325.00 and 12 weeks is requested to complete this work. It is also recommended that a contingency of \$30,000.00 be included for repairs to the tank structures due to the corrosion, if found during removal of the old lining.

The City had also previously retained the services of Bay Area Coating Consultants (BAC) for special inspection and testing services related to the recoating of the four booster pump canisters and the water tank exteriors. BAC has estimated the cost for this additional testing and inspection services not to exceed \$34,000.00, and staff feels this is reasonable.

Approve the budget appropriation from the water fund reserves into Project 7083 for \$363,325.00

☒ Check if City Council Approval required.

Meeting Date: January 6, 2004

Itemization of funds, if needed:			Amount
Requested by:	Division Head:	Date:	
	Department Head:	Date:	
Reviewed by:	Finance Director: Emma Karlen by JC	Date: 12/23/03	
Approved by:	City Manager:	Date:	
Date approved by City Council, if required:			Confirmed by: